

## DRAFT

Planning Commission Recommended Draft - June 2008

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## Chapter 2: Land Use

### Analysis of Issues

This chapter describes the general land use and ~~existing~~ zoning categories within the Twinbrook neighborhoods and gives a brief overview of the proposed zoning changes recommended in the Plan. More detailed information, together with recommendations for the future use of specific areas can be found in Chapter 3 on Housing and Chapter 4 on Commercial and Industrial Areas.

### Land Use Patterns

There are approximately 1,300 acres of land within the two Twinbrook Planning Areas (7 and 8), of which the vast majority – 1,053 acres, more than 97% – is devoted to single-family housing.

Land use patterns in the Twinbrook neighborhoods were established when the area was first developed during the 1940s, 1950s and 1960s. The area's "residential wedge" nature was further confirmed by the City of Rockville's 1960 Master Plan and by the 1964 Montgomery County General Plan, which laid out the system of residential wedges and commercial corridors that defines the County today. Subsequent City Master Plans, including the 1982 Twinbrook Neighborhood Plan, confirmed this development pattern.

The city's location along major transportation corridors such as Route 355 (Rockville Pike/Hungerford Drive/Frederick Road), the Metro Red line, and I-270 has led to the development of Rockville as a corridor city, and it has become a major employment and retail center in the County affecting traffic patterns, business location decisions, and housing growth and appreciation.

There is very little vacant land available in Rockville, and there is little vacant land immediately adjacent to the city limits that can be annexed in and developed. Future development within the existing corporate limits of Rockville will be either the redevelopment of existing sites, such as Town Square and Twinbrook Station, or in-fill on the few remaining vacant or underdeveloped lots.

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(Amended by Staff – January 2009)**~~Existing~~ Zoning in Rockville**

The City has recently undertaken a revision of the Zoning Ordinance. The single-family residential zones have been retained, with minor modifications, while mixed-use zones have replaced the commercial and light industrial zones.

Protecting the integrity of single-family residential neighborhoods has been a consistent goal of previous City and Neighborhood Plans, and this Plan aims to continue towards that goal. Although the majority of land within the Twinbrook neighborhoods is zoned for single-family residential use, multi-family residential is also allowed within the northern portion of the area. Some non-residential uses – such as schools - are also permitted in residential zones, ~~but only after going through a special exception review process as a Conditional Use and are subject to a Level 3 Site Plan Review process.~~ There is not a separate zone for “School” or “Church”. ~~Commercial and Industrial zones govern the land use of the remaining, non-residential, portions of the area.~~

When zoning was first put in place in the City it emphasized single-use zones, separating commercial and industrial uses from residential uses. Within each use zone different types of structures were separated – for example,

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townhouses could not be constructed within a single-family residential zone. The Twinbrook neighborhoods were built using this type of single-use, single-structure zoning.

As the City developed, it was recognized that the separation of uses and building types made access to transit, shopping and other amenities difficult and a series of more flexible zoning categories was created as a remedy. Special Development Procedures, which emphasized a mix of different types of housing within the development, were the first of these flexible zones: an overlay zone, unique to each circumstance, ~~was~~ developed and ~~was~~ applied over the base residential zone, which remained ~~ed~~ in place. The Twinbrook Forest condominium townhouses were developed using this type of procedure. The Planned Residential Unit (PRU) overlay zone establishes the town house standards, but the area retains the R-60 residential base zone. More recently the Residential Townhouse Development (RTH) procedure was used to allow for townhouse development in suitable areas of the City, usually to act as a transitional area between commercial and high-density areas and single-family areas. Examples in the Twinbrook neighborhoods include Ashleigh Woods, Rockcrest Courts and Cambridge Walk I and II.

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Mixed-Use zones were initially implemented in the metro areas and along Rockville Pike but have now been expanded to a wider range of places where the City wanted to encourage a mix of uses, increase the number of housing options, and maximize on the public investment already made in transit systems and other public infrastructure. ~~There are currently no mixed-use zones within the two Twinbrook Planning areas.~~

### **Changing a Zone**

The zoning of each parcel is indicated on the City's official zoning map. The zoning map can only be altered through a Map Amendment process. There are two ways by which this can be achieved:

#### ***Sectional Map Amendment –***

Amends the zoning map for a section of the City covered by a Master Plan. The City initiates this process – often through a Neighborhood Plan such as this one - and public notice, including a public hearing, is required.

#### ***Local Map Amendment –***

Can be initiated by a property owner who must demonstrate that there has been either a substantial change in the character of the neighborhood since the last comprehensive zoning, which was not anticipated by the master plan, or that there was a mistake in applying the original zone.

### **Development Standards**

Each zone has a separate set of development standards that govern the size and bulk of buildings within the zone. The current development standards control height, lot coverage, setbacks, lot sizes, and accessory structures: they are not architectural standards or guidelines, and do not regulate the style or appearance of the buildings.

A development nonconformity can arise when some aspect of the land or buildings does not meet the current Ordinance requirements, such as a setback requirement that was put into the Ordinance after the structure was built. If the building that is a development nonconformity is demolished or damaged to more than 50% of its replacement cost, new construction must conform to today's zoning requirements.

### **Residential Zoning**

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As noted, more than 97% of the land in Planning Areas 7 and 8 is zoned for residential uses with the balance zoned for commercial and industrial uses. There are currently four residential zones within the two Planning Areas. The majority of the land in Planning Area 8 is zoned R-60 (6,000 sq ft per lot minimum) for single-family

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homes, while Planning Area 7 features R-60 and R-90 (9,000 sq ft per lot minimum) zones. R-90 serves as a base zone for uses other than single family homes in the Twinbrook area – for example for Rockville High School – and there are no residential properties constructed to R-90 standards in the Twinbrook neighborhoods. ~~As noted previously, both R-60 and R-90 have served as base zones for a Residential Townhouse (RTH) overlay development.~~

Two multi-family garden-style apartment communities are located in the northern portion of the planning area close to the intersection of Baltimore Road and Twinbrook Parkway. The Forest Apartments occupies an 11.53 acre site ~~and is zoned R-30~~, while The Woods Edge apartment complex occupies a 7.43 acre site ~~and is zoned R-20~~.

### **Current Non-Residential Zoning Areas**

While very little of the Twinbrook area is zoned for non-residential uses, it occupies an important place in the community.

### **Commercially Zoned Land Uses**

There are approximately 19.35 acres of commercial ~~ly-zoned~~ land in the Twinbrook neighborhoods. The Veirs Mill Road corridor acts as both a common area and a dividing line between the two Twinbrook communities, and contains the main commercial area serving the neighborhood. Shopping centers are located on both sides of Veirs Mill Road, near the intersection with Atlantic Avenue and there is an additional small retail site on Atlantic Avenue. The area comprises 17.41 acres, with approximately 11 acres on the northern side of Veirs Mill Road, and the balance on the southern side of the road. Under the previous Zoning Ordinance it is was zoned C-2, the City's general commercial zone, which allow eds, by right, for a wide range of goods and services, including: a variety of retail and office uses, with a maximum height of up to six stories or 75 feet. ~~are allowed by right within the C-2 zone.~~

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The Burgundy Shopping Center is a small neighborhood convenience center located at the intersection of Baltimore Road and First Street on the western boundary of the area. The 1.94-acre site ~~was~~ is zoned C-1 Local Commercial under the previous Zoning Ordinance, which ~~is intended to~~ allow ed small-scale, neighborhood oriented, goods and services.

### **Industrially Zoned Land Uses**

The Twinbrook area has a relatively small service industrial area adjacent to the Twinbrook Metro Station. The Lewis Avenue ~~I-2~~ Industrial area comprises four sites with a total land area of approximately 5.40 acres, which is, Under the previous Zoning Ordinance it was zoned I-2 (Light Industrial) the City's light industrial zone ~~that and it~~ allow eds for a general mix of industrial uses including "any light manufacturing, processing or compounding use." The Lewis Avenue businesses reflect this mix. The low-rise office buildings at 12720 and 12750 Twinbrook Parkway ~~were~~ are zoned I-1 (Service Industrial). Service industrial uses constitute approximately 2% of the city's land base, and there are currently over two million square feet of service industrial space within Rockville. Many of the sites appear to have very little room for expansion, and the 1982 Twinbrook Plan recommended that the light industrial zone should not be permitted to expand in size or height. ~~(Please see Appendix 4 for more information on existing zoning.)~~

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### **Impacts of Adjacent Development**

The Twinbrook neighborhoods are a residential extension of the older central city and remain a commuter location, even though more jobs are now available in Rockville. Redevelopment around the Twinbrook Metro station and along the Rockville Pike corridor, together with Town Center development, will have an impact upon the neighborhood.

The Twinbrook Metro site falls within the City's Twinbrook Metro Performance Area, which forms the southern portion of the Rockville Pike Corridor Planning Area, and thus is outside the purview of this Plan. Portions of the property were formerly under Montgomery County jurisdiction, but were annexed into the City in June 2005. The site is slated for redevelopment as part of Twinbrook Station and the developer – the JBG Companies – has undertaken to build at heights of not more than forty feet high at the edge of the project in order to provide a buffer for the adjacent single-family residential neighborhood. Approval has been given for 1,595 multi-family units and approximately 545,000 square feet of retail and office space.

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This Plan aims to ensure that a transitional area remains between the neighborhood and the Twinbrook Metro Performance Area and recommends that the industrial sites on Lewis Avenue and in the Twinbrook/Ardenne area remain within Twinbrook Neighborhood Planning Area 8.

The MNCPPC Twinbrook Sector Plan for the area south of the city boundary is aimed at fostering the creation of a transit-oriented, mixed-use community that will also support light industrial uses and encourage the advanced technology and biotechnology industries. The Sector Plan proposes 1,000 – ~~4,000~~ multi-family dwelling units and approximately 4.98 million square feet of commercial space for the planning area.

### **Redevelopment**

This Plan recommends zoning changes for the multi-family residential areas and the existing commercial and industrial areas. The table below summarizes the approximate densities that each change might yield: more information can be found in Chapter 3 for residential properties and in Chapter 4 for the commercial and industrial areas.

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(Amended by Staff – January 2009)**Potential density increases: Dwelling Unit, Retail and Office Yield**

Property	Current Zone	Current Sq ft/ Dwelling Units	Proposed Zone	Potential Sq ft/ Dwelling Units (Including MPDUs)
The Woods Edge 14001 Cove Lane	R-20	162 m/f	RMD-25	DU: +/- 185 Mix of housing types
The Forest 2000 Baltimore Road	R-30	168 m/f	RMD-25	DU: +/- 288 Mix of housing types
Veirs Mill Road Commercial Area	C-2	Current (excluding Library) Retail: +/-175,000 sq ft	MXNC	Max under zone: DU: +/- 800 m/f DU: +/- 60 t/h
		Maximum under zone: (excluding Library) Mixed commercial (office/retail): +/- 1,183,000 sq ft		Retail: +/- 150,000 sq ft
				Office: +/- 77,000 sq ft
AvalonBay Companies 12720 Twinbrook Parkway	I-1	Office: 50,235 sq ft	MXB	DU: 240 m/f
Lewis Avenue Industrial Area	I-2	Light Industrial: 112,063 sq ft	I-L	DU: +/- 50 m/f
				Industrial: 80,000 sq ft
				Office: 33,000 sq ft
Burgundy Center	C-1	Retail: 16,000 sq ft	MXC	DU: +/- 15 m/f
				Retail: +/- 16,000 sq ft

**Proposed Density outside the TNP area:**

- Within City limits, Twinbrook Station (formerly Twinbrook Commons) has approval for 1,595 multi-family units and approximately 545,000 square feet of retail and office space.
- The MNCPPC Twinbrook Sector Plan covers the section of Montgomery County bounded by Twinbrook Parkway, the CSX tracks and Montrose Road. It proposes 1,000 – ~~4,000~~<sup>2,600</sup> multi-family dwelling units and approximately 4.<sup>98</sup> million square feet of commercial space for the planning area.

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- Oxbridge Development at Rock Creek has obtained approvals for approximately 30 townhomes on Baltimore Road just outside the City limits.

### Redevelopment – Implementation Strategies

Commercial and industrial land within the Twinbrook neighborhoods is of relatively high value and in an attractive location, but it does not appear ripe for redevelopment in the immediate future because of recent renovations, low vacancy rates and general viability for owners and tenants.

However, the area is undergoing rapid change and it may be that in the next ten to fifteen years the owners might wish to redevelop. The City should aim to encourage change in the industrial and commercial areas, without compromising the existing businesses in the near term. ~~A Neighborhood Plan offers the opportunity to identify how the area should look and function in the future, and two tools that could be of use in the transitional process would be to implement new mixed-use zones as floating zones and to utilize form-based zoning concepts. As both concepts are in the process of being defined by the City, a substantial minority within the Advisory Group was uncomfortable in recommending that such concepts be employed in the Twinbrook Plan until more details had been worked out.~~

~~However, the concept of floating zones is uniquely suitable to the long-term plans for the Twinbrook neighborhood. This concept would allow the desires of the community to be imple-~~

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~~mented in the case of change, but also allow the status quo to remain if a particular area does not undergo redevelopment. Should the City accept the use of floating zones, Twinbrook should consider the use of this tool to manage future change in the neighborhood. The contents of the zone would be developed as part of the implementation process of this Plan, but would “float” over the specified sites and would not be applied to those sites (“Mapped”) until their owners wished to redevelop. This mechanism would allow the community to influence how the area might look and function in the future. In addition it would allow the existing businesses to continue without the risk of becoming a non-conforming use or structure, while offering the opportunity for change when the time is right.~~

~~The floating-zone mechanism would also offer time for site assembly—which will be particularly important when there are multiple owners of small sites and/or condominium~~



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~~properties. When a redevelopment opportunity occurs, the floating zone is applied, and redevelopment proceeds under the new zone. All parties would have a level of certainty about what the future might hold.~~

The City does not currently have a policy to promote the redevelopment of identified sites, and some existing policies might have a dampening effect upon such proposals. This Plan therefore recommends that the City formulate a comprehensive redevelopment policy with appropriate incentives for the redevelopment of specified areas.

~~A relatively new type of zoning has recently evolved that emphasizes the appearance of a building or buildings, rather than defining them by their use. These new codes are called Form-Based Codes. The Form-Based Codes Institute has defined form-based codes as a method of regulating development to achieve a specific urban form. Form-Based Codes create a predictable public realm by controlling physical form primarily, and land uses secondarily, through city or county regulations. In other words, design is more important than use.~~